

In the United States District Court  
For the Western District of Michigan

**FILED - GR**

March 27, 2019 2:43 PM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: mke SCANNED BY: MLA 3/27/19**1:19-cv-235**Paul L. Maloney- U.S. District Judge  
Ray Kent - Magistrate JudgeJohnnie Brown # 457740

(Enter above the full names of all plaintiffs, including prisoner number, in this action.)

Muskegon County Jail, Keith Stratton  
and ALL Unknown Employees

(Enter above the full name of the defendant or defendants in this action.)

**COMPLAINT****I. Previous Lawsuits**

**CAUTION: The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in this and other federal courts without prepayment of the required \$350 filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$350 filing fee regardless whether your complaint is dismissed.**

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☐ No ☒
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.
1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.  
\_\_\_\_\_
  2. Is the action still pending? Yes ☐ No ☐
    - a. If your answer was no, state precisely how the action was resolved: \_\_\_\_\_  
\_\_\_\_\_
  3. Did you appeal the decision? Yes ☐ No ☐
  4. Is the appeal still pending? Yes ☐ No ☐
    - a. If not pending, what was the decision on appeal? \_\_\_\_\_  
\_\_\_\_\_
  5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes ☐ No ☐

If so, explain: \_\_\_\_\_  
\_\_\_\_\_

**II. Place of Present Confinement** Saginaw Correctional Facility

If the place of present confinement is not the place you were confined when occurrence that is subject of instant lawsuit arose, also list the place you were confined: Muskegon County Jail

## III. Parties

## A. Plaintiff(s)

Place your name in the first blank and your present address in the second blank. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Johnnie Brown # 457740

Address 9625 Pierce Rd, Freeland Mi 48623

## B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. If there are more than four defendants, provide the same information for each additional defendant. Attach extra sheets as necessary.

Name of Defendant #1 Keith Stretton

Position or Title Detective

Place of Employment Muskegon Sheriff Department

Address 990 Terrace St, Muskegon Mi 49442

Official and/or personal capacity? Both

Name of Defendant #2 Sheriff (unknown name)

Position or Title Sheriff

Place of Employment Muskegon County Sheriff Department

Address 990 Terrace St, Muskegon Mi 49442

Official and/or personal capacity? Both

Name of Defendant #3 \_\_\_\_\_

Position or Title \_\_\_\_\_

Place of Employment \_\_\_\_\_

Address \_\_\_\_\_

Official and/or personal capacity? \_\_\_\_\_

Name of Defendant #4 \_\_\_\_\_

Position or Title \_\_\_\_\_

Place of Employment \_\_\_\_\_

Address \_\_\_\_\_

Official and/or personal capacity? \_\_\_\_\_

Name of Defendant #5 \_\_\_\_\_

Position or Title \_\_\_\_\_

Place of Employment \_\_\_\_\_

Address \_\_\_\_\_

Official and/or personal capacity? \_\_\_\_\_

IV. Statement of Claim

State here, as briefly as possible, the **facts** of your case. Describe how each defendant is personally involved. Include also, the names of other persons involved, dates and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets if necessary.

Please Refer to Page Paragraphs 8 Through 16

beginning

V. Relief

State briefly and precisely what you want the court to do for you.

Please refer to Page 6, 7 Paragraphs 26 through 34

03-14-19

Date

Johnnie L. Brown

Signature of Plaintiff

NOTICE TO PLAINTIFF(S)

The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.



United States District Court  
Western District of Michigan

Johnnie Brown  
V.

Muskegon County Jail, Keith Stratton  
and all unknown Employees

I. Jurisdiction and Venue

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of state law, of rights secured by the Constitution of the United States. The Court has jurisdiction under 28 U.S.C. Section 1331 and 1343 (A) (3). Plaintiff seek declaratory relief Pursuant to 28 U.S.C. Section 2201 and 2202, Plaintiff claims for injunctive relief are authorized by 28 U.S.C. Section 2283 and 2284 and Rule 65 of the Federal Rules of Civil Procedure.
2. The Western District Court of Michigan is an appropriate venue under 28 U.S.C. Section 1391 (b) (2) because it is where the events giving rise to this claim occurred.

II Plaintiff

3. Plaintiff Johnnie Brown is and was all times mentioned herein a inmate at Muskegon County Jail. He is now incarcerated at Saginaw Correctional Facility in Freeland Mi, 9625 Pierce Rd, Freeland Mi 48623



### III. Defendants

4. Defendant Keith Stratton is a detective at Muskegon County Jail / Sheriff department. His job duties are to interrogate and investigate crimes and criminals and to protect citizens of Muskegon County His last known address 990 Terrace St Muskegon MI, 49442
5. Muskegon Sheriff Department, Sheriff "Unknown name" his duties are to oversee the security and well being of all officers and the citizens of Muskegon His last known address 990 Terrance St Muskegon MI 49442
6. Each Defendant are employees of Muskegon County Sheriff department and work at the department
7. Each of the defendant is and will be sued individually, and in his/her official capacity at all times mentioned in this complaint, each, all defendants "acted under the color of state law"

### IV. FACTS

8. WAS lodged in Muskegon County Jail on March 9, 2017 For the charges plaintiff is incarcerated for in the Michigan department of Corrections
9. After Plaintiff was lodged and booked into the jails inmate roster an hour after being arrested



10. Plaintiff was interrogated by detective Keith Stratton about the current offence plaintiff is serving time for
11. Plaintiff did not understand his Miranda rights and self incriminated his self.
12. Detective used various ways to conduct a confession and went beyond his duties and violated Plaintiff's Constitution by doing so.
13. By nonconsensual touching the Plaintiff's leg in a way that made Plaintiff feel very uncomfortable and started talking about Religion.
14. Detective knew plaintiff was not knowledgeable of law and allowed Plaintiff to self-incriminate his self and
15. knew plaintiff was scared and did not understand every thing going on due to Plaintiff was extremely high and was not coherent
16. Plaintiff mentioned all this in court but his Motion was denied and detective's unprofessional behavior was not dealt with



### V. Exhaustion of legal Remedies

17. Plaintiff told trial Court Judge about the unjust and wrongful behavior and that he did not understand his Miranda Rights.
18. Nothing was corrected or suppressed or vacated
19. Plaintiff's Appeal lawyer also mentioned it in his Brief of Plaintiff's Constitution being violated due to this

### VI. Claims

20. Due to Muskegon County not properly training and watching their employees around inmates Plaintiff has become a victim of non consensual touching and thus has deprived him of his Civil Rights.
21. The Sheriff and detective Keith Stratten did not provide a "risk free" environment and did not keep plaintiff from unreasonable risk of gross negligence. Defendants Breached (Failed) in completing their duties as Muskegon County employees to protect Plaintiff from all harm This violated the Plaintiff's rights under 8th and 14th amendments of the United States Constitution and is causing Plaintiff to suffer with Personal injury, physical injury, and emotional distress and Pain



22. The defendant caused Plaintiff to feel negligent or intentionally inflicted of emotional distress, By defendant abusing his authority caused Plaintiff to Fear for his well-Being and freedom this was outrageous and extreme conduct of a Muskegon County employee This caused Plaintiff to suffer with emotional distress, physical injury and Pain
23. Defendant used excessive force when he laid his hand on Plaintiff's leg this was a invasion of privacy In 2003 Congress passed a Zero-Tolerance Policy that Protects ALL inmates From Rape, Sexually assault and harassment. Due to the Sexually assault that took place this violates the 8th Amendment, 42 U.S.C § 15601 (13) and caused Plaintiff to suffer with physical injury and emotional distress and Pain
24. In 18 U.S.C § 2243 criminalizes sexually intercourse or any other physical contact between an officer and a inmate.
25. Plaintiff was in a cruel and unusual punishment by allowing him to be in harms way for physical contact between plaintiff and the detective Stratton this put Plaintiff in an unsafe environment and was deprived of his civil rights This violated the 8th Amendment and caused Plaintiff to suffer with emotional Distress, physical injury risk of harm, Pain



## VII. Prayer and Relief

WHEREFORE, Plaintiff respectfully prays that the Court enters a Judgment:

26. Granting Plaintiff a declaration that the acts and omissions described herein violate his Rights under the Constitution and laws of the United States; and
27. A Preliminary and Permanent injunction ordering defendant Keith Stratton to cease all unprofessional Investigations
28. Granting Plaintiff Compensatory damages in the amount of \$480,000.<sup>00</sup> Against each defendant individually and In his/her own Capacity and official Capacity
29. Plaintiff seeks Punitive damages in the amount of \$30,000.<sup>00</sup> against each defendant individually and in his/her own official Capacity
30. Granting Plaintiff Compensatory damages In the amount of \$200,000.<sup>00</sup> Against Muskegon County Sheriff individually In his/her own official Capacity
31. Plaintiff also seeks normal damages of \$5,000.<sup>00</sup> Against all defendants



32. Plaintiff also seeks a jury trial on all issues triable by jury
33. Plaintiff also seeks recovery of all costs in this suit and
34. Any additional relief this Court deems Just, Proper and equitable

Dated: 3-14-19

Respectfully Submitted

Johnnie L. Brown III

#457740

Saginaw Correctional Facility

9625 Pierce Rd

Freeland MI 48623

Verification

I Johnnie Brown read all the forgoing complaint and Hereby verify that the matters alleged herein, therein are true, except as matters alleged on Information and Belief and as to those, I Believe them to be true. I certify Under penalty of perjury that the Forgoing is true and correct.

Executed at: Saginaw Correctional Facility

Johnnie BROWN #457740

X *Johnnie L. Brown*

Johnnie Brown 457790

Saginaw Correctional Facility

9625 pierce Rd

Freeland Mi 48623

U.S. I

399 Fe

110 Mich

Grand RA





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District Court  
Federal Building  
Michigan St NW  
Grand Rapids Mi 49503

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